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Paper 20

Filed 22 June 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HENRIK S. **OLSEN** and STEVEN M. RUBEN
Junior Party
(Application 10/335,125)

v.

SHUJI **HINUMA**, SHOJI FUKUSUMI, and CHIEKO KITADA
Senior Party
(Patent 7,074,761)

Patent Interference No. 105,676
(Technology Center 1600)

1 Before: JAMESON LEE, SALLY GARDNER LANE, and SALLY C. MEDLEY,
2 *Administrative Patent Judges.*

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4 LANE, *Administrative Patent Judge.*

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7 **Judgment – Request for Adverse – Bd. R. 127(b)**

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9 Olsen has filed a paper stating that it abandons the contest. (Paper 19). It is
10 appropriate to enter judgment against Olsen. Bd. R. 127(b) (4).

11 Upon consideration of the record and for reasons given, it is

12 ORDERED that judgment on priority as to Count 1, the sole count of the

1 interference, is entered against junior party Olsen;

2 FURTHER ORDERED that claims 14-39 and 49-54 of Olsen application
3 10/335,135, which claims correspond to Count 1 (Paper 1 at 4), are FINALLY
4 REFUSED, 35 U.S.C. §135(a);

5 FURTHER ORDERED that the parties note the requirements of 35 U.S.C.
6 §135(c) and Bd.R. 205; and

7 FURTHER ORDERED that a copy of this judgment shall be entered into
8 the administrative record of Olsen application 10/335,125 and Hinuma patent
9 7,074,761.

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11 cc (via electronic filing):

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